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FILED
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JOHN F. DAVIS, CLERK

IN THE

Supreme Court of the United States

OCTOBER TERM, 1968

No. ~~[illegible]~~ 19

THE FIRST NATIONAL BANK IN PLANT CITY, PLANT CITY, FLORIDA, *Petitioner*,

v.

FRED O. DICKINSON, JR., COMPTROLLER OF THE STATE OF FLORIDA, ET AL., *Respondents*.

No. ~~[illegible]~~ 34

WILLIAM B. CAMP, COMPTROLLER OF THE CURRENCY *Petitioner*

v.

FRED O. DICKINSON, JR., COMPTROLLER OF THE STATE OF FLORIDA, ET AL., *Respondents*.

OBJECTION BY RESPONDENTS TO MOTION FOR LEAVE TO FILE A BRIEF OF AMICI CURIAE

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FREE PRESS PUB. CO., INC. - TAMPA

IN THE

Supreme Court of the United States

OCTOBER TERM, 1968

No. 777

THE FIRST NATIONAL BANK IN PLANT CITY, PLANT CITY, FLORIDA, *Petitioner,*

v.

FRED O. DICKINSON, JR., COMPTROLLER OF THE STATE OF FLORIDA, ET AL., *Respondents.*

No. 932

WILLIAM B. CAMP, COMPTROLLER OF THE CURRENCY *Petitioner*

v.

FRED O. DICKINSON, JR., COMPTROLLER OF THE STATE OF FLORIDA, ET AL., *Respondents.*

OBJECTION BY RESPONDENTS TO MOTION FOR LEAVE TO FILE A BRIEF OF AMICI CURIAE

Respondent Fred O. Dickinson, Jr., Comptroller of the State of Florida, The Hillsboro Bank, First Ruskin Bank, and Peoples Bank of Lakeland, hereby file their Objection to the Motion for Leave to File a Brief for the First National Bank of Cornelia, Georgia, et al., as Amici Curiae in Support of Petitions for Writs of Certiorari, and state their reasons for withholding consent to the aforesaid motion as follows:

1. Movants are a number of national banks. Their interests are adequately represented herein by the Solicitor General, on behalf of Petitioner William B. Camp, Comptroller of the Currency of the United States, and by the Petitioner the First National Bank in Plant City.

2. The motion fails to set forth the interest of amici curiae or any facts or questions of law that have not been, or reasons for believing that they will not adequately be, presented by the parties, as required by Rule 42 of the Rules of the United States Supreme Court. In this connection, the motion simply incorporates the brief which is sought to be filed, so that the brief must first be read in order to determine the propriety of the motion for leave to file the brief. Further, the brief is 19 printed pages, also in violation of Rule 42.

3. The brief on behalf of amici curiae does not raise any new facts or questions of law but instead elaborates on several basic points already presented to this Court by both of the Petitioners in this cause.

4. The brief sought to be filed herein by amici curiae refers to several pending controversies with various state banking commissioners, involving different state branching laws. If movants are permitted to file a brief, inevitably those state banking commissioners will seek leave to file briefs as amicus curiae and present their side of the controversy. If this were permitted, the instant case would be unjustifiably broadened, and undoubtedly delayed.

5. A Petition for a Writ of Certiorari was filed by The First National Bank in Plant City on November 25, 1968. On November 29, 1968, the Comptroller of the Currency filed a motion establishing his intention to similarly file a Petition for a Writ of Certiorari.

Yet the motion herein was not served on Respondents until late Thursday night, February 6, 1969. By the time Respondents were served, their briefs in opposition to the Petitions for Writs of Certiorari had been printed and were in the mail to them for service on Friday, February 7, 1969. Consequently, Respondents would not have an opportunity to prepare, print, and file a responsive brief before the other briefs would be distributed to the Court for its consideration.

Wherefore, Respondents respectfully request this Court to deny the Motion for Leave to File a Brief for The First National Bank of Cornelia, Georgia, et al., as Amici Curiae in Support of Petitions for Writs of Certiorari.

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Respectfully submitted,

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First Ruskin Bank
Peoples Bank
of Lakeland

By _____
WM. REECE SMITH, JR.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was furnished, on behalf of Respondents, Fred O. Dickinson, Jr., Comptroller of the State of Florida, The Hillsboro Bank, First Ruskin Bank and Peoples Bank of Lakeland, by airmail, postage prepaid, this _____ day of _____, 1969, to Erwin N. Griswold, Solicitor General, Department of Justice, Washington, D. C. 20530, and to E. Barrett Prettyman, Jr., Esquire, 815 Connecticut Avenue, N. W., Washington, D. C. 20006, Attorney for Amici Curiae, and by mail, postage prepaid, this _____ day of _____, 1969 to Robert S. Edwards, Esquire, Post Office Box 1119, Plant City, Florida 33566, Attorney for Petitioner, The First National Bank in Plant City.

WM. REECE SMITH, JR.
Attorney for Respondents:
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